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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>NBMP-001(SP)</b>
INTERNATIONAL APPLICATION NO. <b>PCT/CN2005/000810</b>	INTERNATIONAL FILING DATE <b>6/8/2005</b>	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/551,847</b>
PRIORITY DATE CLAIMED <b>June 8, 2005</b>		
TITLE OF INVENTION <b>POLYINOSINIC ACID-POLYCYTIDYLIC ACID-BASED ADJUVANT</b>		
APPLICANT(S) FOR DO/EO/US <b>HAIXIANG, LIN</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.		
3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input type="checkbox"/> The US has been elected (Article 31).		
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))		
a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).		
b. <input type="checkbox"/> has been communicated by the International Bureau.		
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office(RO/US)		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).		
a. <input type="checkbox"/> is attached hereto.		
b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))		
a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).		
b. <input type="checkbox"/> have been communicated by the International Bureau.		
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.		
d. <input type="checkbox"/> have not been made and will not be made.		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input checked="" type="checkbox"/> Other items or information: <b>1) Communication 2) Exhibit A &amp; B 3) Copy of Notice 4) Postcard</b>		

EV641736564US

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/551,847		PCT/CN2005/000810		NBMP-001(SP)	

The following fees are submitted:				CALCULATIONS      PTO USE ONLY	
21.	<input type="checkbox"/>	Basic national fee (37 CFR 1.492(a)).....	\$300.00	\$	
22.	<input type="checkbox"/>	Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....	\$0	\$	
		All other situations .....	\$200.00	\$	
23.	<input type="checkbox"/>	Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....	\$0	\$	
		Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....	\$100.00	\$	
		International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....	\$400.00	\$	
		All other situations .....	\$500.00	\$	
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets or paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		X \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	- 20 =		X \$50.00	\$	
Independent Claims	- 3 =		X \$200.00	\$	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded:	\$
				Amount to be charged:	\$

a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

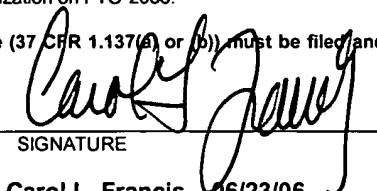
b. ☐ Please charge my Deposit Account No. 50-0815 in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0815. A duplicate copy of this sheet is enclosed.

d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:  
**Bozicevic, Field & Francis, LLP**  
**1900 University Avenue, Suite 200**  
**East Palo Alto**  
**California**  
**94303**

  
 SIGNATURE  
**Carol L. Francis** 06/23/06  
 NAME  
**36,513**  
 REGISTRATION NUMBER



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,847	Lin Haixiang	NBMP-001

24353  
 BOZICEVIC, FIELD & FRANCIS LLP  
 1900 UNIVERSITY AVENUE  
 SUITE 200  
 EAST PALO ALTO, CA 94303

INTERNATIONAL APPLICATION NO.

PCT/CN05/00810

I.A. FILING DATE

PRIORITY DATE

06/08/2005

CONFIRMATION NO. 6184

371 FORMALITIES LETTER



\*OC000000019109938\*

Date Mailed: 06/06/2006

# NOTICE OF INSUFFICIENT BASIC NATIONAL FEE REQUIRED AND/OR MISSING COPY OF INTERNATIONAL APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

Indication of Small Entity Status has been received.

The following items must be furnished:

Copy of International Application, which includes a copy of the Request Form, submitted to the International Bureau is missing. A copy of the International Application must be provided prior to 30 months from the priority date to avoid abandonment. Extensions of time under the provisions of 37 CFR 1.136 are not available for compliance with the requirements of 37 CFR 1.495(b). The international application may not be submitted via facsimile transmission.

The basic national fee to enter the national stage in the United States of America under 35 U.S.C. 371 must be paid by 30 months from the priority date (37 CFR 1.495(b)(2)).

If the proper basic national fee is not paid within 30 months from the priority date, the international application will become ABANDONED as to the United States of America, and will not be accepted for national examination.

The amount required shown above reflects the correct fee as of the date of this Notice. If the amount changes prior to payment, applicant must pay the revised amount.

The current basic national fees are listed at 37 CFR 1.492(a). In addition, current PCT related fees are listed in each weekly issue of the Official Gazette of the United States Patent and Trademark Office and the amount of the fees can be obtained from the USPTO's web site [www.uspto.gov](http://www.uspto.gov) or by contacting the Public Service Center at (703) 308-4357.

Extensions of time under the provisions of 37 CFR 1.136 are not available for compliance with the requirements of 37 CFR 1.495(b)(2).

For filing the basic national fee, the first class certificate of mailing procedure of 37 CFR 1.8 is NOT available to establish the date of mailing as the date of receipt in the USPTO (see 37 CFR 1.8(a)(2)(i)(F)). The Express Mail procedure of 37 CFR 1.10 may be used.

The basic national fee may not be submitted via facsimile transmission.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/551,847	PCT/CN05/00810	NBMP-001

FORM PCT/DO/EO/912 (371 Formalities Notice)

**EXPRESS MAIL NO. EV 641736564 US**

<b>COMMUNICATION</b>  <b>REGARDING RESPONSE TO NOTICE OF INSUFFICIENT BASIC NATIONAL FEES REQUIRED AND/OR MISSING COPY OF INTERNATIONAL APPLICATION UNDER §371 AND 37 C.F.R. §1.495</b>  Address to: Mail Stop: BOX PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Customer Number	24353
	Atty. Docket No.	NBMP-001(SP)
	Application Number	10/551,847
	Confirmation Number	6184
	Filing Date	September 29, 2005
	First Named Inventor	HAIXIANG, LIN
	Examiner Name	Not yet assigned
	Group Art Unit	Not yet assigned

Sir:

This Communication is responsive to the **Notice of Insufficient Basic National Fees Required and/or Missing Copy of International Application Under §371 and 37 C.F.R. § 1.495** (the "Notice") dated June 6, 2006 as received from U.S. Patent and Trademark Office in the connection to the above-identified application. The documents submitted with this Communication are believed to be fully responsive to the Notice. Applicants wish to note the following:

**1) Copy of International Application**

- Applicants filed a copy of the International Application on September 29, 2005 (specification, claims, abstract, and drawings). Applicants note that this application was filed in English in the Chinese PCT Receiving Office on June 8, 2005 and has been assigned International Application Serial No. PCT/CN2005/000810.
- The following are filed today in response to the Notice:
  - A copy of the PCT Request as filed in the Chinese PCT Receiving Office on June 8, 2005
  - A copy of the PCT Fee Calculation Sheet as filed in the Chinese PCT Receiving Office on June 8, 2005; and
  - A copy of the International Application as filed in the Chinese PCT Receiving Office on June 8, 2005.
    - The copy of the International Application filed today is a substantial duplicate of the application filed on September 29, 2005, and thus replaces the prior application and *introduces no new matter*.

## 2) Application Filing Fees

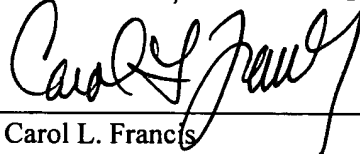
- The Notice indicates that the basic national fee to enter the national stage in the US under §371 **must be paid** by 30 months from the priority date or the application will become abandoned.
- However, the Notice does not indicate what amount is due in the present application. It is unclear whether the Office means to assert that the filing fees have not been paid.
- **At the time of filing the instant application, applicants authorized the payment of all fees by credit card, including**
  - a) the Basic National fee,
  - b) the Examination fee,
  - c) the Search fee, and
  - d) the Surcharge for extra claims and multiple dependent claims.

A copy of the Transmittal Letter as filed on September 29, 2005 is enclosed as Exhibit A.

- **These fees, including the fee for a Petition to Make Special, have been charged to applicants credit card.** A copy of the credit card statement indicating the total amount of \$2,885.00 has been charged (Exhibit B, page 1), with details of each of the items charged (Exhibit B, page 2) is enclosed.
- **No additional fees are believed due.** However, should the Office deem otherwise, The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication (including any necessary fees for extensions of time) or credit any overpayment to Deposit Account No. 50-0815, order number

Date: June 23, 2006

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

By:   
Carol L. Francis  
Registration No. 36,513

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